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14 DR SYSTEMS, INC.

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Plaintiff,

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v.

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CIVIL ACTION NO. 08-C-1732

JOINT MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD BY ERAD, INC.

EMAGEON, INC., ERAD, INC. AND NOVARAD, INC.

Defendants.

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**JOINT MOTION FOR EXTENSION OF TIME FOR
ERAD, INC. TO ANSWER OR OTHERWISE PLEAD**

The Plaintiff, DR Systems, Inc. (“DR Systems”), and one of the Defendants, Erad, Inc. (“eRad”), having stipulated and agreed to an extension of time in which eRad can evaluate the claims made against it by DR Systems with its counsel, respectfully move the Court, based upon the following facts and circumstances:

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1. On September 22, 2008, DR Systems filed the instant action in this court alleging patent infringement of its ‘416 Patent against Emageon, Inc., eRad, Inc. and Novarad, Inc.

2. DR Systems caused a Summons to be served on eRad, by and through one of its officers, via Certified Mail, Return Receipt Requested delivered at its principal place of business in Greenville, North Carolina on September 30, 2008, making eRad's responsive pleading due on or before October 30, 2008
 3. eRad has engaged counsel to defend itself in this action, but counsel has yet to be able to review and evaluate the Complaint, the underlying patent and claims cited by DR Systems, and evaluate the claims with a view towards eRad's accused medical imaging system.
 4. Counsel for the parties, DR Systems and eRad have spoken by telephone and have agreed to permit eRad an additional thirty (30) days to prepare and file its Answer and any related pleading, said extension to expire on **December 1, 2008**.

WHEREFORE, in view of facts presented above, the parties, DR Systems and eRad jointly request that eRad be permitted an additional thirty (30) days to prepare and file its Answer and related pleadings. A Proposed Order is being submitted herewith.

Respectfully submitted,
eRad, INC.

DATED: October 20, 2008

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1 DR SYSTEMS, INC.

2 DATED: OCTOBER 20, 2008

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CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for Defendant eRad, Inc., hereby certifies that on October 20, 2008 he electronically filed the foregoing JOINT MOTION FOR EXTENSION OF TIME FOR ERAD, INC. TO ANSWER OR OTHERWISE PLEAD and PROPOSED ORDER with the Clerk of Court using the ECF system which will send notification of such filing to the following:

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